

States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

POM-125. A concurrent resolution passed by the Legislature of the State of Arizona relative to rescinding all of Arizona's previous calls for a constitutional convention to amend the Constitution of the United States, received on May 15, 2003; to the Committee on the Judiciary.

#### SENATE CONCURRENT RESOLUTION 1022

Whereas, the Legislature of the State of Arizona, acting with the best of intentions, has in the past applied to the Congress of the United States by memorial or resolution in accordance with article V, Constitution of the United States, for one or more constitutional conventions for the purpose of amending the Constitution of the United States; and

Whereas, over the course of time, the will of the people of the State of Arizona has changed with regards to Arizona's previous calls for a constitutional convention to amend the Constitution of the United States; and

Whereas, certain persons or states have called for a constitutional convention on issues that may be directly in opposition to the will of the people of this state; and

Whereas, the people of this state do not want their previous applications for a constitutional convention to be aggregated with those calls for a convention from other states; and

Whereas, former Justice of the United States Supreme Court Warren E. Burger, former Associate Justice of the United States Court Arthur J. Goldberg and many other leading constitutional scholars are in general agreement that a convention, notwithstanding whatever limitation might be placed on it by the call for a convention, may propose sweeping constitutional changes or, by virtue of the authority of a constitutional convention, redraft the Constitution of the United States creating an imminent peril to the well established rights of citizens and to the duties of various levels of government; and

Whereas, the Constitution of the United States has been amended many times in the history of this nation and may be amended many more times without the need to resort to a constitutional convention, and has been intercepted for more than two hundred years and found to be a sound document that protects the lives and liberties of citizens; and

Whereas, there is no need for, and in fact there is great danger in, a new constitution or in opening the Constitution of the United States racial changes, the adoption of which could create legal chaos in this nation and begin the process of another two centuries of litigation over its meaning and interpretation; and

Whereas, changes or amendments that may be needed in the present Constitution of the United States may be proposed and enacted without resorting to a constitutional convention by using the process provided in the Constitution and previously used throughout the history of this nation: Therefore be it

*Resolved by the Senate of the State of Arizona, the House of Representatives concurring:*

1. That the Legislature of the State of Arizona hereby repeals; rescinds, cancels, renders null and void and supersedes any and all existing applications to the Congress of the United States for a constitutional convention under Article V of the Constitution of the United States for any purpose, whether limited or general.

2. That the Legislature of the State of Arizona urges the legislature of each and every

state that has applied to Congress for either a general or limited constitutional convention to repeal and rescind their applications.

3. That the Secretary of State of the State of Arizona transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, the Administrator of General Services in Washington, DC., each Member of Congress from the State of Arizona and the Secretaries of State and presiding officers of both houses of the legislation of each state in the Union.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 579. A bill to reauthorize the National Transportation Safety Board, and for other purposes (Rept. No. 108-53).

By Mr. HATCH, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 92. A resolution designating September 17, 2003 as "Constitution Day".

S. Res. 136. A resolution recognizing the 140th anniversary of the founding of the Brotherhood of Locomotive Engineers, and congratulating members and officers of the Brotherhood of Locomotive Engineers for the union's many achievements.

S. Res. 145. A resolution designating June 2003, as "National Safety Month".

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 554. A bill to allow media coverage of court proceedings.

S. 858. A bill to extend the Abraham Lincoln Bicentennial Commission, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER from the Committee on Armed Services.

Air Force nomination of Maj. Gen. John W. Rosa, Jr.

Air Force nomination of Brig. Gen. Barbara C. Brannon.

Army nomination of Maj. Gen. Jerry L. Sinn.

Army nomination of Maj. Gen. Steven W. Boutelle.

Army nomination of Maj. Gen. Ricardo S. Sanchez.

Army nomination of Maj. Gen. Anthony R. Jones.

Army nomination of Maj. Gen. John R. Vines.

Army nomination of Brig. Gen. Emile P. Bataille.

Army nomination of Brig. Gen. David H. Hicks.

Army nomination of Brig. Gen. Brian L. Tarbet.

Army nomination of Chaplain (Col.) Jerome A. Haberek.

Navy nomination of Rear Adm. Michael J. McCabe.

Navy nomination of Rear Adm. (1h) John P. Debbout.

Navy nomination of Capt. Craig O. McDonald.

Mr. WARNER. Mr. President, for the Committee on Armed Services, I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unani-

mous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning Elise A. \* Ahlswede and ending Paul K. \* Yenter, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 13, 2003.

Air Force nomination of Jefferson L. Sev-ers.

Army nominations beginning Charles R. Bailey and ending David W. Smartt, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2003.

Marine Corps nominations beginning Benjamin T. Ackison and ending Robert B. Zwyer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 14, 2003.

Navy nominations beginning Amando F. Abaya and ending Shanon J. Wells, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 1, 2003.

By Mr. HATCH for the Committee on the Judiciary.

Michael Chertoff, New Jersey, to be United States Circuit Judge for the Third Circuit.

Robert D. McCallum, Jr., of Georgia, to be Associate Attorney General.

Peter D. Keilser, of Maryland, to be an Assistant Attorney General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HARKIN (for himself, Mr. SPECTER, Mr. KOHL, Mr. DURBIN, Mr. FEINGOLD, Mrs. CLINTON, and Mr. SCHUMER):

S. 1103. A bill to clarify the authority of the Secretary of Agriculture to prescribe performance standards for the reduction of pathogens in meat, meat products, poultry, and poultry products processed by establishments receiving inspection services and to enforce the Hazard Analysis and Critical Control Point (HACCP) System requirements, sanitation requirements, and the performance standards; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BROWNBACK:

S. 1104. A bill to amend title 10, United States Code, to provide for parental involvement in abortions of dependent children of members of the Armed Forces; read the first time.

By Mr. BOND:

S. 1105. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 1106. A bill to establish National Standards for Fishing Quota Systems; to the Committee on Commerce, Science, and Transportation.

By Mr. THOMAS:

S. 1107. A bill to enhance the Recreational Fee Demonstration Program for the National Park Service, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. CLINTON (for herself and Mr. WARNER):

S. 1108. A bill to establish within the National Park Service the 225th Anniversary of the American Revolution Commemorative Program, and for other purposes; to the Committee on the Judiciary.

By Mr. TALENT (for himself and Mr. WYDEN):

S. 1109. A bill to provide \$50,000,000,000 in new transportation infrastructure funding through Federal bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation, including roads, rail, transit, aviation, and water, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Mr. BAUCUS, Mr. ROCKEFELLER, Mr. DASCHLE, Mrs. MURRAY, Ms. CANTWELL, Mr. DAYTON, Mr. LIEBERMAN, Mrs. LINCOLN, and Mrs. FEINSTEIN):

S. 1110. A bill to amend the Trade Act of 1974 to provide trade adjustment assistance for communities, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1111. A bill to provide suitable grazing arrangements on National Forest System land to persons that hold a grazing permit adversely affected by the standards and guidelines contained in the Record of Decision of the Sierra Nevada Forest Plan Amendment and pertaining to the Willow Flycatcher and the Yosemite Toad; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself and Mr. HARKIN):

S. 1112. A bill to amend title 38, United States Code, to permit Department of Veterans Affairs pharmacies to dispense medications on prescriptions written by private practitioners to veterans who are currently awaiting their first appointment with the Department for medical care, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LINCOLN (for herself and Mr. DEWINE):

S. 1113. A bill to amend title XVIII of the Social Security Act to eliminate cost-sharing under the medicare program for bone mass measurements; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Ms. COLLINS):

S. 1114. A bill to amend title XVIII of the Social Security Act to provide coverage for kidney disease education services under the medicare program, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. DAYTON, Ms. CANTWELL, Mr. BAUCUS, Mr. LEAHY, Mrs. BOXER, and Mr. JEFFORDS):

S. 1115. A bill to amend the Toxic Substances Control Act to reduce the health risks posed by asbestos-containing products; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself, Mr. DEWINE, Ms. STABENOW, and Mr. VOINOVICH):

S. 1116. A bill to amend the Federal Water Pollution Control Act to direct the Great Lakes National Program Office of the Environmental Protection Agency to develop, implement, monitor, and report on a series of indicators of water quality and related environmental factors in the Great Lakes; to the Committee on Environment and Public Works.

By Mr. FEINGOLD (for himself, Mr. KENNEDY, and Mr. JEFFORDS):

S. 1117. A bill to provide a definition of a prevailing party for Federal fee-shifting statutes; to the Committee on the Judiciary.

By Mr. JEFFORDS (for himself, Mr. LEAHY, Mr. SCHUMER, and Mrs. CLINTON):

S. 1118. A bill to establish the Champlain Valley National Heritage Partnership in the States of Vermont and New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM of Florida (for himself, Mr. HATCH, and Mr. JEFFORDS):

S. 1119. A bill to amend the Internal Revenue Code of 1986 to clarify the eligibility of certain expenses for the low-income housing credit; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. ROCKEFELLER, Mr. BINGAMAN, Mr. DAYTON, and Mrs. MURRAY):

S. 1120. A bill to establish an Office of Trade Adjustment Assistance, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS (for himself and Mr. MCCAIN):

S. 1121. A bill to extend certain trade benefits to countries of the greater Middle East; to the Committee on Finance.

By Mr. JOHNSON (for himself and Mr. DASCHLE):

S. 1122. A bill to provide equitable funding for tribal transportation programs, and for other purposes; to the Committee on Indian Affairs.

By Mrs. BOXER (for herself and Mr. BIDEN):

S. 1123. A bill to provide enhanced Federal enforcement and assistance in preventing and prosecuting crimes of violence against children; to the Committee on the Judiciary.

By Ms. MIKULSKI:

S. 1124. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH (for himself, Mr. NELSON of Nebraska, Mr. DEWINE, Mr. MILLER, Mr. VOINOVICH, Mr. ALLEN, and Mr. CHAMBLISS):

S. 1125. A bill to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON (for himself, Mr. KERRY, and Mr. SMITH):

S. 1126. A bill to establish the Office of Native American Affairs within the Small Business Administration, to create the Native American Small Business Development Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. STABENOW (for herself, Mr. KENNEDY, Mr. LEAHY, Mr. DODD, Mr. CORZINE, Mr. LAUTENBERG, Mr. HARKIN, Mr. BINGAMAN, Mr. DURBIN, and Mr. ROCKEFELLER):

S. 1127. A bill to establish administrative law judges involved in the appeals process provided for under the medicare program under title XVIII of the Social Security Act within the Department of Health and Human Services, to ensure the independence of, and preserve the role of, such administrative law judges, and for other purposes; to the Committee on Finance.

By Mr. FEINGOLD (for himself, Mr. LEAHY, and Mr. KOHL):

S. 1128. A bill to amend title 11 of the United States Code with respect to the dismissal of certain involuntary cases; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. BROWNBACK, Mr. VOINOVICH, Ms. CANTWELL, Mr. DEWINE, Mr. LAUTEN-

BERG, Mr. FEINGOLD, and Mr. KENNEDY):

S. 1129. A bill to provide for the protection of unaccompanied alien children, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1130. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Bibiana Arreola, and Cindy Jael Arreola; to the Committee on the Judiciary.

By Mr. SPECTER (for himself and Mr. BUNNING):

S. 1131. A bill to increase, effective December 1, 2003, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. SPECTER (for himself, Mr. BUNNING, and Mr. GRAHAM of South Carolina):

S. 1132. A bill to amend title 38, United States Code, to improve and enhance certain benefits for survivors of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SPECTER (by request):

S. 1133. A bill to amend title 38, United States Code, to improve the authorities of the Department of Veterans Affairs relating to compensation, dependency and indemnity compensation, pension, education benefits, life insurance benefits, and memorial benefits, to improve the administration of benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOND (for himself and Mr. INHOFE) (by request):

S. 1134. A bill to reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself, Mr. JEFFORDS, Mr. GRASSLEY, Mrs. LINCOLN, and Mr. BINGAMAN):

S. 1135. A bill to amend title XVIII of the Social Security Act to establish a uniform national medicare physician fee schedule; to the Committee on Finance.

By Mr. SPECTER (for himself and Mr. BUNNING):

S. 1136. A bill to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940; to the Committee on Veterans' Affairs.

By Mr. LOTT:

S. 1137. A bill to establish a Mississippi Gulf Coast National Heritage Area in the State of Mississippi, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COLEMAN:

S. 1138. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code of 1986 to provide parity with respect to substance abuse treatment benefits under group health plans and health insurance coverage; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEWINE (for himself and Mr. LAUTENBERG):

S. 1139. A bill to direct the National Highway Traffic Safety Administration to establish and carry out traffic safety law enforcement and compliance campaigns, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. DEWINE, and Mrs. FEINSTEIN):

S. 1140. A bill to amend titles 23 and 49, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself and Mr. DEWINE):

S. 1141. A bill to amend title 23, United States Code, to increase penalties for individuals who operate motor vehicles while intoxicated or under the influence of alcohol; to the Committee on Environment and Public Works.

By Mrs. MURRAY (for herself, Mr. GRAHAM of Florida, Mr. MILLER, Mr. ROCKEFELLER, and Mr. BUNNING):

S.J. Res. 13. A joint resolution to designate April 9, 2004, as "National Former Prisoner of War Recognition Day"; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MURRAY (for herself, Ms. SNOWE, Mr. DASCHLE, and Mr. KENNEDY):

S. Res. 153. A resolution expressing the sense of the Senate that changes to athletics policies issued under title IX of the Education Amendments of 1972 would contradict the spirit of athletic equality and the intent to prohibit sex discrimination in education programs or activities receiving Federal financial assistance; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 146

At the request of Mr. DEWINE, the names of the Senator from Missouri (Mr. BOND), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. CRAIG) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 146, a bill to amend titles 10 and 18, United States Code, to protect unborn victims of violence.

S. 229

At the request of Mr. JOHNSON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 229, a bill to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, and for other purposes.

S. 271

At the request of Mr. SMITH, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 271, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 310

At the request of Mr. THOMAS, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 310, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the medicare program, and for other purposes.

S. 333

At the request of Mr. BREAUX, the name of the Senator from South Caro-

lina (Mr. HOLLINGS) was added as a cosponsor of S. 333, a bill to promote elder justice, and for other purposes.

S. 451

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 451, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan, and for other purposes.

S. 480

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 480, a bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 518

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 518, a bill to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy.

S. 526

At the request of Mr. HATCH, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 526, a bill to amend title XVIII of the Social Security Act to improve access to Medicare+Choice plans for special needs medicare beneficiaries by allowing plans to target enrollment to special needs beneficiaries.

S. 542

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 542, a bill to amend title XIX of the Social Security Act to clarify that section 1927 of that Act does not prohibit a State from entering into drug rebate agreements in order to make outpatient prescription drugs accessible and affordable for residents of the State who are not otherwise eligible for medical assistance under the medicaid program.

S. 557

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 557, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 595

At the request of Mr. HATCH, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from

Missouri (Mr. BOND) were added as cosponsors of S. 595, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 623

At the request of Mr. WARNER, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 654

At the request of Ms. SNOWE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 654, a bill to amend title XVIII of the Social Security Act to enhance the access of medicare beneficiaries who live in medically underserved areas to critical primary and preventive health care benefits, to improve the Medicare+Choice program, and for other purposes.

S. 656

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 724

At the request of Mr. ENZI, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 724, a bill to amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials.

S. 741

At the request of Mr. SESSIONS, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 741, a bill to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, and for other purposes.

S. 777

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 777, a bill to amend the impact aid program under the Elementary and Secondary Education Act of 1965 to improve the delivery of payments under the program to local educational agencies.

S. 818

At the request of Ms. SNOWE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 818, a bill to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration.

S. 818

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr.